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UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

In Re:)	Chapter 11
)	
BCE WEST, L.P., <i>et al.</i> ,)	Case Nos. 98-12547
	)	through 98-12570 ECF CGC
Debtors.	)	Jointly Administered
)	
EID # 38-3196719	)	DEBTOR'S RESPONSE TO HOME
	)	DEPOT'S OPPOSITION TO
	)	DEBTORS' PROPOSED AGENDA
	)	CONTINUING HEARING ON
	)	MOTION FOR ORDER
	)	AUTHORIZING ASSUMPTION OF
	)	LEASE OF NONRESIDENTIAL REAL
	)	PROPERTY (STORE N0. 1127)

1 BC GoldenGate, L.L.C., debtor and debtor in possession (the “Debtor”) file this Response
2 with respect to the opposition purportedly filed on July 16, 1999, to the Debtors’ Agenda for the
3 regularly scheduled July 20, 1999 hearings. In support of this Response, the Debtor states as
4 follows:

5 1. Home Depot continues to take liberties with clearly defined bankruptcy
6 procedures.
7

8 2. The Debtor filed its Agenda for the July 20 hearing docket which, among other
9 things, continued the long-pending motion to assume the nonresidential real property leasehold
10 interest with respect to store #1127 located in San Jose, California (the “Motion”).

11 3. Home Depot “objects” to the Agenda. While not opposing “the continuance of the
12 substance of the Debtors’ Motion,” Home Depot suggests that there is something else between
13 these two parties presently pending for the Court’s consideration.
14

15 4. The truth of the matter is that there is no dispute between the Debtor and Home
16 Depot that is before the Court other than the Motion. What Home Depot is trying to do is
17 circumvent appropriate procedural requirements.
18

19 5. Home Depot is not happy with the Debtor’s responses to interrogatories and
20 document production requests. Home Depot sent Debtor’s counsel a “meet and confer” letter on
21 July 2.
22

23 6. On July 15 and 16 counsel for the Debtor conferred with Counsel for Home Depot
24 regarding the discovery objections and possible compromises. No response has been received.
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 19, 1999 the foregoing Response was served by e-mail, fax and by first class United States mail, postage prepaid, to counsel for Home Depot, Brian L. Davidoff, Rutter, Hobbs & Davidoff Incorporated.

/s/ Karen Anders